

PLANNING COMMISSION MEETING
City of Gardner, Kansas
Council Chambers
July 26, 2021
7 p.m.

CALL TO ORDER

The meeting of the Gardner Planning Commission was called to order at 7:06 p.m. on Monday July 26, 2021, by Chairman Scott Boden.

PLEDGE OF ALLEGIANCE

Chairman Boden led the Pledge of Allegiance.

ROLL CALL

Commissioners present:

Chairman Boden

Commissioner Ham

Commissioner Hansen

Commissioner Meder

Commissioner McNeer

Commissioner Jueneman

Commissioner Cooper

Staff members present:

David Knopick, Community Development Director

Melissa Krayca, Administrative Assistant

Spencer Low, City Attorney

CONSENT AGENDA

1. Approval of the minutes as written for the meeting on June 28, 2021.

Motion made by Commissioner McNeer to approve the minutes, seconded by Commissioner Meder.

Motion passed 7-0.

REGULAR AGENDA

Item 1. Consider the following for Treadway Apartments

- a. Rezoning**
- b. Site Plan**
- c. Preliminary Plat**
- d. Final Plat**

Dave Knopick, Community Development Director provided an introductory overview of the components of this item.

APPLICANT PRESENTATION

Ryan Adam, Cityscape Residential introduced himself and his partnership with Grata Development. Grata is a Kansas City based development company focused on building intentional communities where families live and thrive. Cityscape is a full service real estate firm with over 25 years of experience in design, construction and management. Grata Development and Cityscape are partnering to build multi-family housing in a premier location to capture the

growing workforce demand in the area. Treadway at New Trails will consist of 424 units at the southeast corner of 175th St. and I-35 providing convenient highway access and amenities currently not found in the market. Competitively priced compared to other Class A projects further north and east with rent targets for studios at \$775, 1 bedroom starting at \$985 and 2 bedroom starting at \$1,166. Community amenities will include a clubhouse that includes work space and private conference rooms, pet spa, media & internet lounge, club room with television/arcade and fitness center. Site amenities will include saltwater pool, bbq grill stations, walking trails, full size bocce ball, pickle ball, dog park, package locker system, car washing station and Frisbee golf course.

An administrative adjustment is requested to revise the plans to show a 6' 4" wide sidewalks along areas abutting parking with vehicle overhangs. It is asked that the City to support this request to accommodate distance limitations associated with fire department requirement and they would also like to utilize a planting bed to break up the facades of the building for aesthetic purposes. By utilizing a 6' 4" sidewalk they are able to provide the necessary passages to meet ADA requirements of a 4' passage while contemplating a 2' overhang for the front of vehicles.

PUBLIC HEARING

Public Hearing opened by Planning Commission.

Steve Clary, 24850 W. 190th St expressed his concern about the infrastructure specifically internet service being overwhelmed in the area as he already has poor service with Century Link. Additionally he voiced the fact that a very large development would create more traffic than 175th is able to accommodate.

Ryan Adams stated that the conversations have begun with Century Link to obtain better service in the area.

Public Hearing closed by Planning Commission.

STAFF PRESENTATION

Mr. Robert Case presented the information in the staff report for Treadway Apartments Items 1a & 1b. The rezoning petition is for a 2.12 acre expansion of a rezoning for a multi-family development that was presented in April. The rezoning request is also coupled with a site plan for a total of 424 apartment units. This site is part of the overall mixed use development called Prairie Trace a 260 plus acre development located at the southeast intersection of 175th Street and Interstate 35. Mr. Case stated that staff found the overall plan to be compatible and in character with the neighborhood and the stated that the rezoning will not detrimentally affect nearby property. The uses will not adversely affect the capacity or safety of utilities, infrastructure or public services.

In general, the site plan is in compliance with the code, with several items that will be conditions of approval. The plan reflects generally accepted and sound planning and urban design principles with respect to applying the Comprehensive Plan. The petitioner is requesting an administrative adjustment as previously stated.

COMMISSION DISCUSSION

Commissioner Meder wanted to clarify if the adjustment to sidewalks was for all the buildings.

Mr. Case stated the adjustment will apply to all the sidewalks abutting parking spaces in front of the buildings.

Commissioner Jueneman asked if there was any consideration concerning sound due to the proximity of the airport.

Mr. Adams stated the building standards are so high already that the sound does not present issues.

Mr. Knopick reminded the commissioner that the plan will go before the County for consideration as well.

Chairman Boden stated the he would like to see 7ft sidewalks, closer to actual code requirements. Discussion ensued amongst commission members and the consensus was that the sidewalks must meet ADA requirements. Additionally, the commission was reminded that the maximum adjustment they could approve on the sidewalk width was up to 20% of the required 8 foot width.

Motion made after review of Application Z-21-03 and SP-21-03, a rezoning for (parcel ID CF231429-1008), and site plan dated June 7, 2021, and staff report dated July 26, 2021, the Planning Commission approves the application as proposed, provided the following conditions are met:

- 1. Revise the plans to either show either a 6' 5" wide sidewalks with a kick outs at least every 200' to meet ADA compliance on the sidewalk or a 7' sidewalk along any parking with vehicle overhangs that are backed up to a parking lot curb.**
- 2. Revise the plan to show landscaping along the back side of all garages.**
- 3. Prior to the issuance of a building permit, the application shall obtain approval from the Johnson County Board of Commissioners.**
- 4. Prior to the issuance of a building permit, a final plat shall be approved by the Planning Commission, with rights-of-way and easements accepted by the Governing Body.**

And recommends the Planning Commission forward the recommendation for approval to the Governing Body.

Motion made by Meder and seconded by McNeer.

Motion passed 7-0.

STAFF PRESENTATION

Mr. Case presented the information in the staff report for Treadway Apartments Items 1c & 1d. The application is generally consistent with the Comprehensive Plan and in compliance with the Land Development Code. All technical studies have been submitted and approved. The plat does not deter any existing or future development on adjacent lots.

Motion made after review of Application PP-21-03, a preliminary plat for parcel ID CF231429-1008, and preliminary plat dated June 7, 2021, and staff report dated July 26, 2021, the Planning Commission approves the application as proposed after finding all applicable requirements have been met.

Motion made by McNeer and seconded by Meder.

Motion passed 7-0

The final plat is in substantial compliance with the preliminary plat and the Land Development Code. The request for final platting is consistent with established goals and policies of the City. No adjustments are requested with this plat

Motion made after review of Application FP-19-04, a final plat parcel ID CF231429-1008 and final plat dated June 7, 2021, and staff report dated July 26, 2021, the Planning approves the application as proposed, provided the following conditions are met:

- 1. Preliminary plat PP-21-03 shall be approved prior to the release of the final plat FP-21-04 for recording.**
- 2. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording.**
- 3. The application shall be reviewed and approved by the Johnson County Airport Board and Johnson County Board of County Commissioners prior to the release of the plat for recording.**

And recommends the Governing Body accept dedication of right-of-way and easements.

Motion made by Meder and seconded by McNeer.

Motion passed 7-0.

Item 2. Consider the following for Cypress Creek

- a. Rezoning**
- b. Preliminary Development Plan**
- c. Preliminary Plat**

Dave Knopick, Community Development Director provided an introductory overview of the components of this item.

APPLICANT PRESENTATION

Tim Tucker, Phelps Engineering gave a brief overview of the size of the development and the proposed access streets on Madison and 167th St. There will be a 10ft concrete trail parallel to a stream running north to south.

PUBLIC HEARING

Public Hearing opened by Planning Commission.

No one from the public spoke in regard to this matter.

Planning Hearing closed by Planning Commission.

STAFF PRESENTATION

Mr. Case presented the information in staff report 2a & 2b for Cypress Creek development. This site was just annexed into the City back in June. It has been undeveloped since at least the 1940's. The proposed rezoning is for RP-2 which is typically a district that would be associated with duplex development but it also allows for single-family detached neighborhood housing. The staff feels that this rezoning and layout is consistent with adjacent development and also allows for more open space than is typically found within a suburban neighborhood. The staff finds the type of housing variety supports on going investment and attraction of new residents while promoting infill residential development. The low density development meets the design requirements and is in character with existing neighborhoods.

The preliminary development plan is in general compliance with the code, with several items that will need to be conditions of approval. The plan reflects acceptable and sound planning and

urban design principles with respect to applying the comprehensive plan. It is consistent with character of the neighborhood and supports lower density pattern with more open space and pedestrian connectivity to nearby schools.

COMMISSION DISCUSSION

Commissioner Meder asked for clarification on the proposed RP-2 zoning.

Mr. Knopick explained the current zoning code and in regards to lot size and deviations that would have been required with R-1 zoning. Cypress Creek will develop smaller footprint homes on smaller lots. He indicated that the development is planned for single family homes only and plan revisions would have to come before the Planning Commission again if any substantial changes were proposed.

Commissioner McNeer commended the applicant for bringing more affordable homes to the area. He also asked if the narrow lots are due to the creek and open space presented in the plan.

Mr. Knopick stated it may be a factor but price points are also a driving component.

Commissioner Jueneman inquired if the alignment of the proposed trail would be decided on at a later date.

Mr. Case confirmed the alignment and easement will be part of final plat and final development plan and, the Parks department will be collaborating on the trail.

Commissioner Cooper expressed her appreciation for the natural green space being integrated into the development and considers it beneficial to home values.

Chairman Boden affirmed his support for the development and creating single family homes at reasonable price point.

Motion made after review of applications Z-21-04 and PDP-21-02, a rezoning from RUR (Rural, Agricultural uses and single family dwellings District) to RP-2 (Planned Two Family Residential District) and associated preliminary development plan dated June 7, 2021, and staff report dated July 26, 2021, for Cypress Creek, Tax Id 2F221423-1001, located between 167th Street and Madison Road just north of Gardner Edgerton High School, the Planning Commission recommends the Governing Body approve the applications subject to the following conditions:

- 1. Approval of a transportation impact study and stormwater management plan by the City of Gardner Public Works Department;**
- 2. Dedication of a 30' wide trail easement on the final plat to the City of Gardner that corresponds to the City of Gardner Parks Master Plans; and**
- 3. Revise the landscape plan to promote diverse tree plantings.**

And recommends the Planning Commission forward the recommendation for approval to the Governing Body.

Motion made by Hansen and seconded by McNeer.

Motion passed 7-0.

STAFF PRESENTATION

Mr. Case presented the information in staff report for Item 2C. Cypress Creek preliminary plat. The application is generally consistent with the comprehensive plan and land development

code. All technical studies have been submitted and approved. The plat does not deter any existing or future development on adjacent lots.

Motion made after review of case PP-21-04, a preliminary plat for Cypress Creek, Tax Id 2F221423-1001, The East 100 acres of the Northwest Quarter of Section 23, Township 14, Range 22 between 167th Street and Madison Road just north of Gardner Edgerton High School, and preliminary plat dated June 7, and staff report dated July 26, 2021, the Planning Commission approves the application as proposed, provided the following conditions are met:

- 1. Approval of rezoning Z-21-04 and preliminary development plan PDP-21-02 for Cypress Creek.**
- 2. Approval of stormwater management plan and traffic impact study by the Public Works Department.**
- 3. On the final plat, a 30' wide trail easement that corresponds to the City of Gardner Parks Master Plan shall be dedicated to the City of Gardner.**

Motion made by Ham and seconded by McNeer.

Motion passed 7-0.

Motion made to adjourn by McNeer and seconded by Meder.

Motion passed 7-0.

Meeting adjourned at 8:33 p.m.